

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Ohio
(State)

Case number (if known): _____ Chapter 7

☐ Check if this is an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code

Check one:

- ☒ Chapter 7
☐ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name WINE CELLAR INNOVATIONS, LLC

3. Other names you know the debtor has used in the last 8 years

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)

☒ Unknown

EIN _____

5. Debtor's address

Principal place of business

Mailing address, if different

4575 Eastern Avenue

Number Street

Number Street

P.O. Box

Cincinnati

OH

45226

City

State

ZIP Code

City

State

ZIP Code

Location of principal assets, if different from principal place of business

Hamilton

County

Number Street

City

State

ZIP Code

Debtor **WINE CELLAR INNOVATIONS, LLC**
Name

Case number (if known) _____

6. Debtor's website (URL) _____

7. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the types of business listed.
☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

- ☒ No
☐ Yes. Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY
Debtor _____ Relationship _____
District _____ Date filed _____ Case number, if known _____
MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

- ☒ No
☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor WINE CELLAR INNOVATIONS, LLC
Name

Case number (if known) _____

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	Wine Master Cellars, LLC d/b/a Vintageview Wine Storage Systems	Unpaid Invoices for goods	\$ 89,607.86
	Air Innovations, Inc. d/b/a Wine Guardian	Unpaid Invoices for goods	\$281,076.76
	WhisperKOOL Corp. d/b/a Vinotheque Wine Cellars	Unpaid invoices for goods	\$272,181.07
Total of petitioner's claims			<u>\$642,865.69</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Air Innovations, Inc. d/b/a Wine Guardian
Name

7000 Performance Drive
Number Street

North Syracuse NY 13212
City State ZIP Code

Name and mailing address of petitioner's representative, if any

Michael Wetzel, President and CEO
Name

7000 Performance Drive
Number Street

North Syracuse NY 13212
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/05/2022
MM / DD / YYYY

X _____
Signature of petitioner or representative, including representative's title

Attorneys

Local Counsel for Petitioning Creditors:

W. Timothy Miller
Printed name

Taft Stettinius & Hollister LLP
Firm name, if any

425 Walnut Street, Suite 1800
Number Street

Cincinnati OH 45202-3957
City State ZIP Code

Contact phone 513-357-9678 Email miller@taftlaw.com

Bar number 059952

State OH

X _____
Signature of attorney

Date signed 08/10/2022
MM / DD / YYYY

Debtor WINE CELLAR INNOVATIONS, LLC
Name

Case number (if known) _____

Name and mailing address of petitioner

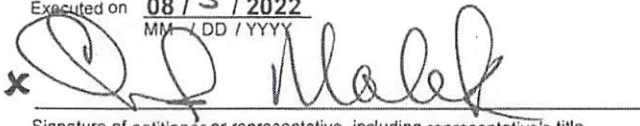
Wine Master Cellars, LLC d/b/a Vintageview Wine
Name Storage Systems
4690 Joliet Street
Number Street
Denver CO 80239
City State ZIP Code

Name and mailing address of petitioner's representative, if any

Charles Malek, CEO
Name
4690 Joliet Street
Number Street
Denver CO 80239
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08 / 5 / 2022
MM / DD / YYYY

x 
Signature of petitioner or representative, including representative's title

Lead Counsel for Petitioning Creditors:

Janice B. Grubin
Printed name

Barclay Damon LLP
Firm name, if any

1270 Avenue of the Americas, Suite 501
Number Street

New York NY 10020
City State ZIP Code

Contact phone 212-784-5808 Email jgrubin@barclaydamon.com

Bar number 2202349

State New York

x 
Signature of attorney (pro hac vice admission pending)

Date signed 08 / 10 / 2022
MM / DD / YYYY

Debtor WINE CELLAR INNOVATIONS, LLC
Name

Case number (if known) _____

Name and mailing address of petitioner

WhisperKOOL Corp. d/b/a Vinotheque Wine Cellars
Name

1738 East Alpine Avenue
Number Street

Stockton CA 95205
City State ZIP Code

Name and mailing address of petitioner's representative, if any

Thomas Schneider, President and CEO
Name

1738 East Alpine Avenue
Number Street

Stockton CA 95205
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08 / 05 / 2022
MM / DD / YYYY

X See below

Signature of petitioner or representative, including representative's title

X 

Thomas Schneider (Aug 5, 2022 13:06 PDT)

Signature of petitioner or representative, including representative's title







Involuntary Petition

Final Audit Report

2022-08-05

Created:	2022-08-05
By:	Joann Baynard (jbaynard@vinotheque.com)
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"Involuntary Petition" History

-  Document created by Joann Baynard (jbaynard@vinotheque.com)
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-  Signer tschneider@vinotheque.com entered name at signing as Thomas Schneider
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-  Document e-signed by Thomas Schneider (tschneider@vinotheque.com)
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